

# **Exhibit B**

1 UNITED STATES DISTRICT COURT  
2 FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
3 OXFORD DIVISION

4 DR. AMY R. WOODS,

5 Plaintiff,

6 vs.

CIVIL ACTION FILE  
NO.: 3:19-00234-NBB-RP

7 MHM HEALTH PROFESSIONALS, LLC  
8 d/b/a CENTURION PROFESSIONALS,  
9 MANAGEMENT & TRAINING  
10 CORPORATION, JESSE WILLIAMS,  
11 INDIVIDUALLY, and JOHN DOES 1-9,

12 Defendants.

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13 VIDEOCONFERENCE AND VIDEOTAPED DEPOSITION OF

14 DR. EDMUND A. MILLER

15 October 8, 2020

16 3:30 p.m.

17  
18  
19 Shari L. Snow, CCR #B-2258

20  
21  
22  
23  
24  
25 Job #32318

1           A       I believe that I have been paid  
2       approximately \$3,000, or \$2500 so far. I'm depending  
3       on you to give me some more money here.

4           Q       Well, that's going to happen.

5                   Now, tell me, what did you do today in  
6       preparation for your testimony?

7           A       Today in preparation for my testimony?

8           Q       Yes, sir.

9           A       I have tried to read through all of the  
10       requests and exhibits that y'all supplied, and I have  
11       reread the Standards for Health Services in Jails and  
12       Prisons, the books that are put out by the National  
13       Commission on Correctional Health Care.

14          Q       You read the entire book?

15          A       Yes, sir.

16          Q       From cover to cover?

17          A       Yes, sir.

18          Q       That is, both books?

19          A       I actually focused on the Standards for  
20       Health Services in Jails, but yes, I've read both  
21       books, actually, cover to cover, that's correct.

22          Q       Have you ever served as a medical  
23       professional providing services to inmates in a  
24       prison?

25          A       I have provided -- I think the answer to

1 that is no, but that is dependent on how you would  
2 define the word "prisons."

3 Q Yes, sir. I'm referring to large state or  
4 federal prisons.

5 A Then the answer is no.

6 Q Have you ever... taken any courses on  
7 constitutional law?

8 A Yes.

9 Q All right. Tell me the courses you've taken  
10 on constitutional law.

11 A The course that I took on constitutional law  
12 I took 41 years ago.

13 Q Well, I'm surprised you still remember you  
14 took it.

15 A I remember taking the course. I remember  
16 the guy who taught the course later went to prison.

17 Q He knows about constitutional law then,  
18 doesn't he?

19 A Yes, that's -- those are the main two things  
20 I remember, so I've tried to avoid that.

21 Q Now, when you took this wonderful course on  
22 constitutional law 40-some years ago, tell me the  
23 setting that you were in.

24 A I was -- actually, I had graduated from  
25 medical school but I had not yet gone into residency

1           A       Other than familiarizing myself with the  
2       exhibits supplied, I did certainly review the rules  
3       and Standards for Health Care Professionals in Jails  
4       and Prisons. I also reviewed the medical literature  
5       on standards for physicians in jails and prisons. And  
6       I think that was -- I certainly did not look at the  
7       laws, as I'm a physician, not a lawyer.

8           Q       Did you --

9           A       That was the extent of my preparation.

10          Q       Did you have any discussions with any of the  
11       persons identified that Miss Woods identified as  
12       having knowledge of this case?

13          A       No, sir.

14          Q       You didn't talk to any nurses --

15          A       No, sir.

16          Q       -- that worked at --

17          A       No, sir.

18          Q       You didn't talk to any health professionals  
19       that worked at the prison?

20          A       I've had multiple conversations with health  
21       care professionals who work in both prisons and jails  
22       over the last several years. I have had no discussion  
23       with any person regarding this case, as my  
24       understanding is that would have been illegal.

25          Q       Well, I don't want you to explore the

1 that even implies Dr. Woods should commit a crime?

2 A No, sir.

3 Q You understand that Dr. Woods worked in a  
4 prison in Marshall County, correct?

5 A Yes, sir, I understand that she was -- that  
6 she worked in that facility. I'm a little bit unclear  
7 on the designation of prison versus jail.

8 Q All right.

9 A And I don't know how important that is, but  
10 I will state that just for the sake of clarity.

11 Q Yes, sir, thank you for that.

12 You don't know anything about the inmate  
13 population served by that prison, do you?

14 A (There was no response.)

15 Q That served that population.

16 A (There was no response.)

17 Q The prison that served that population.

18 A I do know. There are some things that I do  
19 know --

20 Q Okay.

21 A -- from my research and reading.

22 Q Okay. Well, tell me anything else you know  
23 from your research and reading that you haven't  
24 already told me.

25 A My understanding is that that facility

1 houses a little over a thousand inmates.

2 Q Okay.

3 A That it is a state facility, that persons  
4 convicted of federal crimes are not housed there. And  
5 I don't immediately remember other specific  
6 information other than newspaper reports and  
7 unsubstantiated claims about the quality of care at  
8 the facility itself, which I don't think are important  
9 to or germane to my opinions, which are medical.

10 Q When you say newspapers, is there any  
11 particular newspaper reports you remember reading  
12 about this case?

13 A No, no particular citations or references  
14 that I can give you. However, again, I think I can  
15 produce a few of those just from having Googled  
16 information on the facility itself.

17 Q Were there any particular newspaper reports  
18 that you recall?

19 A The particular newspaper reports that I  
20 would recall are those that are already provided in  
21 the exhibits, and I think that those were provided by  
22 Dr. Woods.

23 Q And do you remember what they pertain to?

24 A I remember one pertaining to prison guards  
25 being assaulted by the inmate population. And I

1           A       I wanted to relook at the Standards for  
2   Health Care Services in Prisons, and the Standards for  
3   Health Care Services in Jails, and make sure that you  
4   and I were both on the same page as per the definition  
5   of "prison" versus the definition of "jail."

6           Q       Well, what did you find out?

7           A       My understanding now is that the definition  
8   of a prison is a facility that is run by the State of  
9   Mississippi and definition of jails are those  
10   facilities that are run by the various counties and...  
11   I guess by the counties of the state.

12          Q       Okay. I think we're on the same page.

13          A       Okay, great.

14          Q       Now, did you familiarize yourself with any  
15   other laws pertaining to prisons?

16          A       No, sir. I just wanted to be sure that we  
17   were, as you said, on the same page regarding the  
18   definition of prison.

19          Q       All right. Now, you've told me already that  
20   this document labeled "Statement of Opinions"  
21   articulates all of your opinions in this case,  
22   correct?

23          A       No, sir. No, sir. I think I told you a  
24   little bit different. You asked me if I had any other  
25   opinions that were based on the exhibits and



1           A       That also is correct.

2           Q       All right. Prior to this case, you had not  
3 read that provision, had you?

4           A       Yes, sir, I've read that provision many  
5 times.

6           Q       All right. What experience have you had  
7 with that provision in those many times that you've  
8 read it?

9           A       My experience has been in defining and  
10 clarifying my role in giving health care to inmates in  
11 jails.

12          Q       In jails, okay.

13                 You're not saying that Dr. Woods was the  
14 sole arbiter of the timing of when a prisoner has to  
15 go to an outside facility, are you?

16          A       Yes, that is exactly what I'm saying.

17          Q       So let us assume that the staffing of a  
18 prison was limited, and the prisoner needed to go to a  
19 facility outside the prison walls, is it your opinion  
20 that if Dr. Woods ordered a prisoner to go off the  
21 facility, they had to do so at the exact instance in  
22 which she ordered it?

23          A       (There was no response.)

24          Q       Even though they didn't have staff there to  
25 provide security?

1           A       Per my reading of the contract -- this is a  
2       separate document -- of the contract between Centurion  
3       and the State of Mississippi, Centurion guaranteed, by  
4       contract, the availability of appropriate transport of  
5       prisoners 24 hours a day, seven days a week in the  
6       event that the facility itself was unable to provide  
7       timely transfer.

8                       So by my reading of the documents provided  
9       to me, transport of prisoners should have never been  
10      an issue.

11          Q       So are you saying that they had to provide  
12      the vehicle or they had to provide the security guards  
13      to transport from the prison?

14          A       Who is the "they" in your question?

15          Q       The "they" is Centurion. Are you saying  
16      that it was Centurion's responsibility under its  
17      contract to provide the security services to go with  
18      the prisoner to an off-site facility?

19          A       Now, once again, I am a physician, and I am,  
20      I think, appropriately nervous about giving nonmedical  
21      opinions based on reading of contracts.

22                       Per my reading of that contract, it appears  
23      that Centurion was responsible to give appropriate  
24      transport 24 hours a day, seven days a week in the  
25      event that the facility itself was unable to provide

1 appropriate transport due to staffing issues.

2 Q So you just offered an opinion that's a  
3 legal opinion. You're talking about your opinion of a  
4 contract, right?

5 A Yes, sir, per my reading of the contract.  
6 And I did try to qualify that before I gave it so that  
7 you wouldn't yell at me.

8 Q I'm not going to yell at you. I wouldn't do  
9 that. But I am perplexed that you would say with  
10 essentially very little legal training what a contract  
11 requires of Centurion.

12 A I think that that contract was written by  
13 lawyers for general readership by -- readership by  
14 non-lawyers. And so per that reading, I think the  
15 contract is quite clear and does not require a lawyer  
16 to interpret it.

17 It's not a law, is it?

18 Q Are you saying then that you're perfectly  
19 well suited as a physician to interpret the State of  
20 Mississippi's contract with Centurion because the  
21 lawyers had in mind that lay people ought to read it  
22 and understand it?

23 A Yes, sir, that's, that is the -- that's what  
24 I'm testifying to. That is my opinion.

25 Q Yes, sir. And you don't have any

1           A       Yes, in terms of a contract, I think that  
2 requires agreement by two parties.

3           Q       And you know that based upon --

4           A       Excuse me?

5           Q       And it was -- and that is based upon your  
6 understanding of the law?

7           A       I think that's based on my understanding of  
8 agreements between parties. It is not exactly based  
9 on my understanding of the law.

10          Q       Okay. All right. Then you go on in the  
11 next paragraph to state -- in the same paragraph to  
12 state: Aside from the medical decision-making, it is  
13 my opinion that Dr. Woods would have engaged in  
14 criminal conduct had she not acted as she did in  
15 obtaining outside medical treatment for the inmates.

16                 In that sentence, the inmates you refer to  
17 are the three you've identified in the first  
18 paragraph, correct?

19          A       Yes, sir.

20          Q       REDACTED

21       REDACTED

22          A       Yes, sir.

23          Q       And what is the basis for your opinion that  
24 she would have engaged in criminal conduct?

25          A       Per my experience in treating inmates in

1 jails, I think that I have been instructed and told  
2 that I have a legal obligation to treat those patients  
3 to the best of my abilities and that indifference to  
4 their medical complaints could potentially constitute  
5 a criminal action.

6 Q Now, who told you that?

7 A My lawyer and the lawyer that is  
8 occasionally employed by the jail where I see inmates.

9 Q And what is his name?

10 A His name, I haven't talked to in years, I'm  
11 not sure who that is right now. But I will supply  
12 that to you, and I can certainly supply you my  
13 lawyer's name.

14 Q All right. And what is your lawyer's name?

15 A Mr. Jim Helveston, James Helveston.

16 Q And when was the last time you addressed  
17 this issue with your lawyer?

18 A It's been several years. I have supplied  
19 health care to the inmates at the Clay County Jail for  
20 about 25 or 26 years now.

21 Q Are you the medical director for that  
22 facility?

23 A Yes, sir.

24 Q You're the sole medical director?

25 A Yes, sir.

1 Q Okay. Other than what your lawyer told you  
2 and what a lawyer you cannot identify told you, any  
3 other basis for your conclusions that she would have  
4 engaged in criminal conduct had she not acted as she  
5 did in obtaining outside medical treatment for the  
6 inmates?

7 A I believe that that is the extent of my  
8 knowledge.

9 Q Okay. Now, you go on to illustrate in the  
10 next paragraph, for example, [REDACTED] ... I think  
11 you have his name down as [REDACTED] but it's not clear  
12 from this paragraph, I think it's [REDACTED] suffered a  
13 partial severed ear.

14 A Yes, sir, I believe that that is -- that's  
15 an [REDACTED] suffered a partially severed ear,  
16 yes, sir.

17 Q You say it would have been grossly  
18 inadequate care to attempt to repair the ear with  
19 stitches, correct?

20 A Yes, sir.

21 Q And is that the criminal conduct that you  
22 say Dr. Woods would have engaged in had she not sent  
23 him to an outside facility, if she had repaired it  
24 with stitches?

25 A If she was indifferent to this patient's

1 objecting to one of my orders, for even one second.

2 Q Yes, sir. But have you -- my question is,  
3 have you ever overridden a warden's decision about an  
4 inmate?

5 A No, I've never even had to do that.  
6 Although I certainly would override the director of a  
7 jail's decision. If they were attempting to make a  
8 medical decision, I would tell them to go to hell,  
9 this is what's going to happen, and if he has a  
10 problem with that, he better call God.

11 Q Okay. Well, he might call God or he might  
12 say to you: You just disobeyed a directive about an  
13 inmate that I'm charged with responsibility, and so  
14 that's inappropriate, wouldn't he?

15 A Yes, sir. That's what's so hard for me  
16 about the reading of this case, is I'm -- under these  
17 circumstances I think I would have tried to have the  
18 warden arrested on the spot. I think he was  
19 committing a criminal act.

20 Q Hauled into jail?

21 A Yep, and hopefully not raped.

22 Q Allegedly raped.

23 A Allegedly raped. My bad.

24 Q Now, let's go back to your third one, which  
25 is [REDACTED] You say in the paragraph, on the last

1 Q Oh, I'm sorry.

2 A Yeah.

3 Q Scrotal sac.

4 A It's quite all right. I'll pronounce the  
5 medical words and you pronounce the legal ones.

6 Q Okay. We got an agreement.

7 A And cuts off the blood supply to the  
8 testicle.

9 Q Then you go on to describe how painful it  
10 is. And then the last sentence on this page says:  
11 The standard of care that diagnosed this condition is  
12 a test called a scrotal ultrasound.

13 A That is correct.

14 Q And as one can see from the medical records,  
15 the test was appropriately ordered, it was  
16 countermanded by the warden.

17 A And I think that that statement is probably  
18 incorrect. The warden certainly did not countermand  
19 the ordering of a testicular ultrasound.

20 Are we still there?

21 Q Yep.

22 A Okay.

23 Q It was the patient that countermanded the  
24 decision of the ultrasound, right?

25 A No, sir, not --



1           Q     You wouldn't have snatched a murderer who  
2     says he's been raped and take him to the hospital,  
3     would you --

4           A     I would have screamed and yelled and thrown  
5     a giant fit and made sure that this patient got to the  
6     place he needed to be and received the care that he is  
7     required to have under the Eighth Amendment.

8           Q     Let's assume with me that she screamed and  
9     yelled and the warden said he can't go tonight.  
10    You've done your job then, right?

11          A     I don't know.

12          Q     You wouldn't haul him off to the emergency  
13    room yourself without security --

14          A     No. No, I wouldn't break the law. But I  
15    don't have a lot of experience with people not paying  
16    attention when I start screaming and yelling, so I'm  
17    not sure... you know, I'm not sure how I would  
18    approach that but I think I would have wanted to be  
19    relentless in my requirement that this patient be  
20    treated the way that he's required to be treated under  
21    the law.

22          Q     And that's what Dr. Woods and the nurse  
23    practitioner ordered --

24          A     They ordered very appropriately. The  
25    initial intake nurse -- and we've noted this -- I

1 for --

2 A Yes.

3 Q -- postponing these appointments?

4 A Right. Right. Just as a impartial reader  
5 of medical records over the years, and a frequent  
6 criticizer of quality of care and of the quality of  
7 medical records, when you see something that is just  
8 recurrent over and over again, this person is using  
9 the same frickin' excuse, at some point you got to  
10 start sort of suspecting: What's going on here? I  
11 mean, if this is a recurring problem, why hasn't it  
12 been solved?

13 Q Let me ask you about the Clay County, is it  
14 the detention center? I don't know what you refer to  
15 it as, the jail where you're the --

16 A Oh, yeah.

17 Q -- consulting physician.

18 A Yeah. That was -- I refer to it as a jail.

19 Q Okay. The Clay County Jail?

20 A Right.

21 Q Run by the, I guess, the sheriff's office  
22 over there?

23 A That's correct.

24 Q How large of a facility is that, how many  
25 inmates do they typically have?

1           A       Anywhere, I think anywhere between 15 and

2   30.   They get a lot of overflow from -- well, we have  
3   in the past gotten a significant amount of overflow  
4   from Parchment and some of the other facilities.

5           Q       What type of offenses do the inmates that  
6   are housed on more than just a temporary basis  
7   typically have over there?

8           A       Most of them are drugs, but up to murder.  
9   Every possible offense I've come across.

10          Q       Is there an in-house medical department over  
11   there?

12          A       Yes. Or it's not really a medical  
13   department, there's an in-house infirmary.

14          Q       And is that full-time staffed by medical  
15   personnel?

16          A       There is a full-time nurse at that facility.

17          Q       There's not a medical doctor on site all the  
18   time?

19          A       No.

20          Q       Or even on -- go ahead.

21          A       I am constantly within striking distance for  
22   immediate needs. And I will brag and say that I've  
23   been very good about responding over the years to the  
24   perception of emergencies. They do say it's a sorry  
25   dog that won't wag his own tail.

1           A     I think that's a reasonably accurate  
2     statement.

3           Q     You've never been involved with establishing  
4     protocols for transporting inmates to outside medical  
5     appointments, have you?

6           A     No, sir, I have not.

7           Q     Or even the protocols for sending inmates  
8     within the prison context back to medical for sort of  
9     in-house appointments?

10          A     Other than in my small jail. And no, I'm --  
11     I mean... I am not familiar with non-medical issues  
12     regarding the administration of a jail or prison.

13          Q     Have you reviewed any Mississippi Department  
14     of Correction rules or protocols or procedures on  
15     safety?

16          A     I actually think that I have, and I think  
17     that some of that information is included in the  
18     documents that I supplied. But I would not under any  
19     circumstance purport to claim expertise in that area.

20          Q     Do you have any knowledge about the  
21     application of inmate counts within the correctional  
22     facility setting?

23          A     I do. I have a superficial understanding of  
24     that process.

25          Q     What is -- just that it's done or do you